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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/995,779

11/29/2001

Hideki Isohata

122.1477

1716

21171

7590

10/31/2006

STAAS & HALSEY LLP

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EXAMINER

QUARTERMAN, KEVIN J

ART UNIT

PAPER NUMBER

2879

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/995,779

Applicant(s)

ISOHATA ET AL.

Examiner

Kevin Quarterman

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-13,15-23,25 and 27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-13,15-23,25 and 27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment and remarks received on 28 July 2006 have been entered.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 3-13, 15-23, 25, and 27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

4. Independent claims 1, 13, 23, 25, and 27 have been amended to include a limitation of the adhesive tapes being provided on the entire surface of the main frame. This limitation is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Examiner recognizes applicant's submission that a basis for this amendment is recited on page 12, lines 4-18 of the specification. However, after reviewing this section of applicant's specification, the Examiner finds no basis for this amendment. The Examiner also notes that none of applicant's figures clearly show this feature.

5. Thus, this additional limitation to the claims is deemed **new matter**. Due to their dependency upon independent claims 1 and 13, claims 3-12 and 15-22 are also rejected for failing to comply with the written description requirement.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 3-13, 15-23, 25, and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Isohata (US 6,288,489).

8. The applied reference has a common inventor with the instant application.

Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

9. Regarding independent claim 1, Figure 4 of Isohata shows a plasma display apparatus comprising a plasma display panel (10), circuit substrates (11, 12) having drive circuits (13) to drive the plasma display panel, a main frame (17) to mount the circuit substrates, and adhesive tapes (Figs. 5A-C, Element 1a-c) to fix the plasma

display panel directly to the main frame, wherein the adhesive tapes are provided on the entire surface of the main frame, and the main frame comprises plural small holes (7) arranged regularly at established intervals and entirely on the portion where the adhesive tapes contact the main frame and are fixed.

10. Regarding claim 3, Figure 7A of Isohata shows the main frame comprising plural small recesses on the portion, to which the adhesive tapes are fixed, of the surface to which the adhesive tapes are fixed.

11. Regarding claim 4, Figure 6A of Isohata shows the plural small recesses arranged regularly at established intervals.

12. Regarding claim 5, Figure 6A of Isohata shows the main frame comprising plural small recesses provided on the surface opposite to the one to which the adhesive tapes are fixed.

13. Regarding claim 6, Figure 6A of Isohata shows the plural small recesses, provided on the surface opposite to one to which the adhesive tapes are fixed, arranged regularly at established intervals.

14. Regarding claim 7, Figure 6A of Isohata also shows the main frame comprising plural small projections on the surface opposite to one to which the adhesive tapes are fixed.

15. Regarding claim 8, Figure 6A of Isohata shows the plural small projections arranged regularly at established intervals.

16. Regarding claim 9, Figure 5B-C of Isohata shows the adhesive tapes comprising plural small holes (area between adjacent adhesive strips).

17. Regarding claim 10, Figure 6A of Isohata shows the plural small holes of the adhesive tapes arranged at established intervals.
18. Regarding claim 11, Figure 5 of Isohata also shows the adhesive tapes comprising plural small recesses on the surface in contact with the plasma display panel.
19. Regarding claim 12, Figure 5 of Isohata shows the plural small recesses on the adhesive tapes arranged regularly at established intervals.
20. Regarding independent claim 13, which is basically a combination of independent claim 1 and claim 3, Isohata discloses like limitations of independent claim 1 and claim 3, as discussed earlier.
21. Regarding claim 15, Figure 6A of Isohata shows the main frame comprising plural small recesses provided on the surface opposite to the one to which the adhesive tapes are fixed.
22. Regarding claim 16, Figure 6A of Isohata shows the plural small recesses, provided on the surface opposite to one to which the adhesive tapes are fixed, arranged regularly at established intervals.
23. Regarding claim 17, Figure 6A of Isohata shows the main frame comprising plural small projections on the surface opposite to one to which the adhesive tapes are fixed.
24. Regarding claim 18, Figure 6A of Isohata shows the plural small projections arranged regularly at established intervals.

25. Regarding claim 19, Figure 6A of Isohata shows the adhesive tapes comprising plural small holes (6).

26. Regarding claim 20, Figure 6A of Isohata shows the plural small holes arranged at established intervals.

27. Regarding claim 21, Figure 5 of Isohata also shows the adhesive tapes comprising plural small recesses on the surface in contact with the plasma display panel.

28. Regarding claim 22, Figure 5 of Isohata shows the plural small recesses on the adhesive tapes arranged regularly at established intervals.

29. Regarding independent claim 23, which is basically a combination of independent claim 1 and claim 9, Isohata discloses like limitations of independent claim 1 and claim 9, as discussed earlier.

30. Regarding independent claim 25, which is basically a combination of independent claim 1 and claim 11, Isohata discloses like limitations of independent claim 1 and claim 11, as discussed earlier.

31. Regarding independent claim 27, Figure 4 of Isohata shows a plasma display apparatus comprising a plasma display panel (10), a main frame having plural small holes (7); circuit substrates (11, 12) having drive circuits (13) and mounted on the main frame; and adhesive tapes (Figs. 5A-C, Element 1a-c) placed over the plural small holes, contacting and affixing the main frame directly to the plasma display panel, wherein the adhesive tapes are provided on the entire surface of the main frame, and

the plural small holes are arranged regularly at established intervals and entirely on a portion where the adhesive tapes contact the main frame and are fixed.

### ***Response to Arguments***

32. Applicant's arguments received 28 July 2006 have been fully considered but they are not persuasive.

33. In response to applicant's argument that Isohata teaches away from the claimed invention, the Examiner notes that the question whether a reference "teaches away" from the invention is inapplicable to an anticipation analysis (MPEP § 2131.05). In Figure 3, Isohata shows the plasma display panel (10) and the main frame (17a) directly attached with adhesive (1). Isohata later inserts a heat-conducting plate between the adhesive and the main frame (Figs. 4-5). Isohata is no less anticipatory if, after disclosing the invention, Isohata then disparages it.

34. In response to applicant's argument that the screw hole of Isohata does not operate as a hole, the Examiner notes that the claims of the instant application only requires the main frame to have plural small holes. Since Figure 6A of Isohata shows the main frame having plural holes, even though a screw is inserted in them, the Examiner holds that Isohata teaches the claimed invention.

35. In response to applicant's argument that no adhesive is recited in the embodiment of Fig. 7A of Isohata, the Examiner notes that Figure 7A of Isohata a view of the main frame after being fixed to the PDP. Isohata teaches attaching the main frame to the PDP directly by an adhesive (Fig. 3). Thus, the Examiner holds that Isohata teaches the claimed invention.



***Conclusion***

36. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

37. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2879

**Contact Information**


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Quarterman whose telephone number is (571) 272-2461. The examiner can normally be reached on M-TH (7-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kevin Quarterman  
Examiner  
Art Unit 2879

kq   
25 October 2006

  
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